



**In the United States Patent and Trademark Office**

Serial Number: 10/815,636  
Application. Filed: April 2, 2004  
Applicant: Kia Silverbrook, Paul Lapstun, Peter Charles Boyd Henderson, Alireza Moini, Zhenya Alexander Yourlo, Matthew John Underwood, Nicholas Damon Ridley and Jan Rusman  
Application. Title: Sensing Device for Coded Data  
Examiner/GAU: 2614  
Dated: September 23, 2004  
At: Balmain, NSW  
Docket No. HYJ001US

**Petition for Acceptance of Unintentionally Delayed Claim to Priority**

Commissioner for Patents  
Washington, District of Columbia 20231

Dear Sir:

The filing receipt for the abovementioned application shows the '*Domestic Priority data as claimed by applicant*' as:

"This application is a CIP of 10/309,358 12/04/2002  
and is a CIP of 10/409,864 04/09/2003".

This domestic priority data is incorrect due to an unintentional clerical error that took place at the time of compiling the application filing forms.

We confirm that the present application 10/815,636 (Docket No. HYJ001US) is a Continuation-In-Part application (CIP) of 10/778,056 (Docket No. NPS047US) only.

Consequently, we kindly request that the domestic priority data be amended to show the correct details, namely that 10/815,636 (Docket No. HYJ001US) is a CIP of 10/778,056 (Docket No. NPS047US) only.

10/14/2004 JBALINAN 00000006 10815636

01 FC:1453 1370.00 OP

10/14/2004 JBALINAN 00000044 10815636

01 FC:1454 1370.00 OP

In support of this request we enclose a replacement Declaration, a bank draft for \$1,330 covering surcharge under 37 CFR 1.17(t), and a statutory declaration by the Patent Administrator, Leonie Francis News, confirming that an unintentional clerical error took place at the time of compiling the filing application papers for this application which resulted in the present application, 10/815,636 (Docket No. HYJ001US), claiming the incorrect domestic priority data.

Finally, we respectfully submit that the first listed application in the table is the correct parent application, namely 10/778,056 (Docket No. NPS047), and the current details on the present application, ie 10/815,636 (Docket No. HYJ001US), were inadvertently inserted into the form when compiling the filing application papers, back in April.

Very respectfully,

Applicants:



KIA SILVERBROOK



PAUL LAPSTUN



PETER CHARLES BOYD HENDERSON



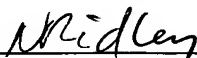
ALIREZA MOINI



ZHENYA ALEXANDER YOURLO



MATTHEW JOHN UNDERWOOD



NICHOLAS DAMON RIDLEY



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DAC/2614  
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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,370

## Complete if Known

Application Number 10/815,636  
Filing Date April 2, 2004  
First Named Inventor Kia Silverbrook  
Examiner Name  
Art Unit 2614  
Attorney Docket No. HYJ001US

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number  
Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	1,370
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,370

## SUBMITTED BY

Name (Print/Type)	SEE ATTACHED SHEET	Registration No. (Attorney/Agent)	Telephone +61298186633
Signature		Date	September 23, 2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**FEE TRANSMITTAL FORM**

PTO/SB/17(10-03)

APPLICATION NO: **10/815,636**

FILING DATE: **April 2, 2004**

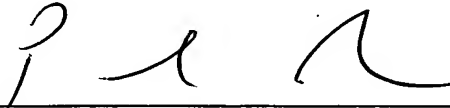
FIRST NAMED INVENTOR: **Kia Silverbrook**

ART UNIT: **2614**

ATTORNEY DOCKET NO; **HYJ001US**



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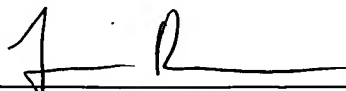
ZHENYA ALEXANDER YOURLO



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NICHOLAS DAMON RIDLEY



JAN RUSMAN



PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/815,636
Filing Date	April 2, 2004
First Named Inventor	Kia Silverbrook
Art Unit	2614
Examiner Name	
Attorney Docket Number	HYJ001US

**ENCLOSURES (Check all that apply)**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Response to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input checked="" type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance communication<br>to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please<br>Identify below): |
|--|---|--|

**Remarks****Contact Details:**Email: kia.silverbrook@silverbrookresearch.com  
Telephone: 61-2-9818 6633  
Facsimile: 61-2-9555 7762**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	SEE ATTACHED SHEET
Signature	
Date	September 23, 2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Signature

Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**TRANSMITTAL FORM**

PTO/SB/21(02-04)

APPLICATION NO: **10/815,636**

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FIRST NAMED INVENTOR: **Kia Silverbrook**

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KIA SILVERBROOK



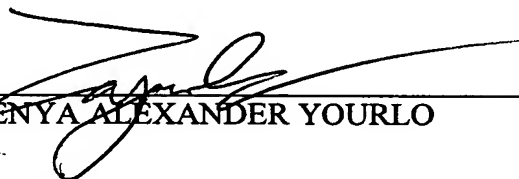
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